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## MISSOURI SENATE

**Eric S. Schmitt**

District 15

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January 7, 2010

Attorney General Chris Koster  
Supreme Court Building  
207 W. High Street  
Jefferson City, MO 65101

Dear Attorney General Koster:

In light of the recent Senate version of the Patient Protection and Affordable Care Act (HR 3590), and in response to a number of inquiries, I respectfully call on you to join other Attorneys General from across our nation in challenging the special deal reportedly struck by Nebraska Senator Ben Nelson to have the federal government and Missouri taxpayers pick up Nebraska's tab for the new Medicaid mandate sought in HR 3590.

Not only does this "Nebraska Compromise" strike a blow to our collective confidence in our elected officials in Washington, DC, it violates basic notions of fundamental fairness. Further, the "Nebraska Compromise", which permanently exempts Nebraska from paying Medicaid costs that Missouri and 48 other states must pay, may also violate the United States Constitution and other provisions of federal law. As a fellow attorney, I urge you to thoroughly review the constitutionality and legality of this suspect provision of HR 3590 and stand up for Missouri taxpayers who are in danger of being left holding the bag.

I respectfully request your immediate attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Eric S. Schmitt". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Senator Eric S. Schmitt

cc: Members of the General Assembly